

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
DEBORAH WOODS,

Plaintiff,

against


THE CITY OF NEW YORK, PORT AUTHORITY OF  
NEW YORK AND NEW JERSEY AND POLICE/PEACE/  
SECURITY OFFICER "JOHN DOE",

Defendant,  
-----X

To the above named Defendant(s)

**You are hereby summoned** to answer the complaint in this action, and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney(s) within twenty days after the services of this summons exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

DATED: New York, New York  
July 29, 2015

  
\_\_\_\_\_  
Harmon Linder & Rogowsky  
Attorneys for Plaintiff(s)  
3 Park Avenue, 23rd Floor  
Suite 2300  
New York, NY 10016

Defendant's Address:

THE CITY OF NEW YORK  
100 Church Street  
New York, NY 10007

PORT AUTHORITY OF NEW YORK AND  
NEW JERSEY AND POLICE/PEACE/SECURITY OFFICER

PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
OFFICE OF THE SECRETARY  
2015 AUG 03 10:09 AM

Summons

2015 AUG -5 P 4:30

FILED AUG 03 2015

Plaintiff's Residence  
255 E. 25<sup>th</sup> Street, apt 1C  
Brooklyn, NY 11226

The basis of venue designated is:  
Defendant(s) residence.

CLAIMS ADMINISTRATION  
RISK MANAGEMENT  
2015 AUG -6 A 9:28

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

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DEBORAH WOODS,

Plaintiff,

-against-

THE CITY OF NEW YORK, PORT AUTHORITY OF NEW  
YORK AND NEW JERSEY AND POLICE/PEACE/SECURITY  
OFFICER "JOHN DOE"

Defendants.  
-----X

VERIFIED COMPLAINT

9 4 0 9 / 2015

FILED AUG 03 2015

Plaintiff, complaining of the defendants herein by her attorneys, HARMON, LINDER & ROGOWSKY, respectfully sets forth and alleges, as follows:

AS AND FOR A FIRST CAUSE OF ACTION  
ON BEHALF OF PLAINTIFF DEBORAH WOODS

1. That at the time of the commencement of this action plaintiff was a resident of the County of Kings, City and State of New York.
2. That the cause(s) of action alleged herein arose in the County of Queens, State of New York on August 18, 2014.
3. That at all times herein mentioned, the defendant THE CITY OF NEW YORK was and still is a municipal corporation organized and existing under and by virtue of the laws of the State of New York.
4. That at all times herein mentioned, plaintiff duly served a Notice of Claim and Intention to Sue thereupon on the defendant THE CITY OF NEW YORK on October 8, 2014 within the time prescribed by law.
5. That defendant THE CITY OF NEW YORK has neglected and refused to make an adjustment

in payment thereof for more than thirty (30) days after service of said Notice of Claim and Intention to Sue.

6. That the plaintiff has duly complied with all statutes and laws applicable to the defendant THE CITY OF NEW YORK precedent to the making of this claim and bringing this action.
7. That at all times herein mentioned, the defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY was and still is a municipal corporation organized and existing under and by virtue of the laws of the State of New York.
8. That at all times herein mentioned, plaintiff duly served a Notice of Claim and Intention to Sue thereupon on the defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY on October 8, 2014 within the time prescribed by law.
9. That defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY has neglected and refused to make an adjustment in payment thereof for more than thirty (30) days after service of said Notice of Claim and Intention to Sue.
10. That the plaintiff has duly complied with all statutes and laws applicable to the defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY precedent to the making of this claim and bringing this action.
11. That at all times herein mentioned defendant, POLICE/PEACE/SECURITY OFFICER "JOHN DOE", was and still is an individual residing in the state of New York.
12. That at all times herein mentioned defendant, POLICE/PEACE/SECURITY OFFICER "JOHN DOE", was and still is an employee, servant and or agent of the defendant THE CITY OF NEW YORK and acting as an individual and in his capacity as the employee, agent and or servant of the defendant THE CITY OF NEW YORK.

13. That at all times herein mentioned, defendant POLICE/PEACE/SECURITY OFFICER "JOHN DOE", was acting within the course and scope of his authority as an employee agent and or servant of the defendant THE CITY OF NEW YORK
14. That at all times herein mentioned, the hiring of employees agents and or servants for the defendant, THE CITY OF NEW YORK, was under its control.
15. That at all times herein mentioned defendant, POLICE/PEACE/SECURITY OFFICER "JOHN DOE", was and still is an employee, servant and or agent of the defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY and acting as an individual and in his capacity as the employee, agent and or servant of the defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY.
16. That at all times herein mentioned, defendant POLICE/PEACE/SECURITY OFFICER "JOHN DOE", was acting within the course and scope of his authority as an employee agent and or servant of the defendant PORT AUTHORITY OF NEW YORK AND NEW JERSEY.
17. That at all times herein mentioned, the hiring of employees agents and or servants for the defendant, PORT AUTHORITY OF NEW YORK AND NEW JERSEY, was under its control.
18. That on the 18<sup>th</sup> day of August 2014, at approximately 9:50 p.m. the defendant THE CITY OF NEW YORK, PORT AUTHORITY OF NEW YORK AND NEW JERSEY, by its servants, agents, or employees namely the defendant, POLICE/PEACE/SECURITY OFFICER "JOHN DOE", without notice justification and provocation, brutally, recklessly, wantonly, negligently, maliciously and willfully assaulted and battered, subjected to unjustified, unnecessary and unwarranted excessive force of the plaintiff DEBORAH WOODS.
19. That as a direct consequence and result of the acts of the defendants THE CITY OF NEW

YORK, PORT AUTHORITY OF NEW YORK AND NEW JERSEY and by their servants, agents and or employees POLICE/PEACE/SECURITY OFFICER "JOHN DOE", herein above complained of the plaintiff was brutally battered and assaulted and thereby caused to sustain serious and severe injuries including fright and shock.

20. That as a result of the foregoing, the plaintiff was caused to and did sustain severe and serious injuries and was required to seek and obtain medical care and attention in an effort to cure and alleviate same and, upon information and belief will be compelled to do so in the future.
21. That as a result of the foregoing, the plaintiff seeks damages, in the sum of one million dollars (\$1,000,000.00) DOLLARS as compensatory damages. Because of the outrageous nature of defendant's conduct and the resulting stigmatization of the plaintiff as a criminal, punitive damages should be assessed against the defendants.

**AS AND FOR A SECOND CAUSE OF ACTION**  
**ON BEHALF OF PLAINTIFF DEBORAH WOODS**

22. Plaintiff repeats and realleges each and every allegation contained in the First Cause of Action as of the same were more fully herein after set forth at length.
24. That the defendants did intentionally, maliciously, wantonly and recklessly cause plaintiff to fear immediate harm from their actions.
25. That the defendants' aggressive and offensive conduct was done deliberately to harm the plaintiff.
26. That as a result of the aforesaid conduct, plaintiff suffered injuries, including but not limited to lacerations, bruises, sprains and strains and other physical injuries causing pain and suffering.

27. That as a further result of defendants conduct, plaintiff suffered fright, shock, humiliation, outrage and other mental injuries.
28. That because the defendants conduct was malicious, aggressive, wanton, reckless and outrageous, punitive damages should be assessed against them.
29. That as a result of the foregoing, the plaintiff was caused to and did sustain severe and serious injuries and was required to seek and obtain medical care and attention in an effort to cure and alleviate same and, upon information and belief will be compelled to do so in the future.
30. That as a result of the foregoing, the plaintiff seeks damages, in the sum of one million dollars (\$1,000,000.00) DOLLARS together with costs and interest.

**AS AND FOR A THIRD CAUSE OF ACTION**  
**ON BEHALF OF PLAINTIFF DEBORAH WOODS**

31. Plaintiff repeats and realleges each and every allegation contained in paragraphs "1 through 30", inclusive with the same were fully herein after set forth at length.
32. That the defendants conduct as earlier described was negligent, careless, willful, and or oppressive in inter alia:
  - (a) Failing to take proper precautions for the safety and well being of the plaintiff;
  - (b) That the defendant and THE CITY OF NEW YORK, PORT AUTHORITY OF NEW YORK AND NEW JERSEY, were negligent in the hiring, screening, training and supervising of its employees and in having or contracting for provision of inadequate and or dangerous personnel, in particular POLICE/PEACE/SECURITY OFFICER "JOHN DOE", set forth in the complaint.
  - (c) Failing to adopt appropriate procedures for the protection of customers and Patrons;

- (d) Allowing its personnel to use excessive force;
- (e) Negligence at law

34. That the defendant, THE CITY OF NEW YORK, PORT AUTHORITY OF NEW YORK AND NEW JERSEY, should have known that its failure in such regards would cause harm.
35. That the defendant, POLICE/PEACE/SECURITY OFFICER "JOHN DOE", should have known that its failure in such regards would cause harm. That as a result of the foregoing, the plaintiff was caused to and did sustain severe and serious injuries and was required to seek and obtain medical care and attention in an effort to cure and alleviate same and, upon information and belief will be compelled to do so in the future.
36. That as a result of the foregoing, the plaintiff seeks damages, in the sum of one million dollars (\$1,000,000.00) DOLLARS together with costs and interest.

**AS AND FOR A FOURTH OF ACTION**  
**ON BEHALF OF PLAINTIFF DEBORAH WOODS**

37. This plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs of this complaint numbered "1" through " 36", inclusive with the same force and effect as though the same were more fully set forth at length herein.
38. That the defendants THE CITY OF NEW YORK, PORT AUTHORITY OF NEW YORK AND NEW JERSEY and POLICE/PEACE/SECURITY OFFICER "JOHN DOE", did intentionally, maliciously, wantonly and recklessly held and detained plaintiff for a period of two weeks causing him to fear immediate harm from their actions.
39. That defendants did violate plaintiff's Civil Rights and constitutional guarantees and Bill of Rights of the plaintiff under color of authority including but not limited to deprivation of life and liberties, the right to security of person and freedom from arrest, assault, and



battery, the right to be informed to the true nature and cause of accusation against his right to equal protection.

40. That as a result of the defendants actions and aforesaid conduct, plaintiff was deprived of her life and liberty on the 18<sup>th</sup> day of August 2014.
41. That as a further result of the aforesaid conduct, plaintiff suffered injuries, including but not limited to a stroke, bruises, sprains and strains and other physical injuries causing pain and suffering.
42. That as a further result of defendants conduct, plaintiff suffered fright, shock, humiliation, outrage and other mental injuries.
43. That because the defendants conduct was malicious, aggressive, wanton, reckless and outrageous, punitive damages should be assessed against them.
44. That as a result of the foregoing, the plaintiff was caused to and did sustain severe and serious injuries and was required to seek and obtain medical care and attention in an effort to cure and alleviate same and, upon information and belief will be compelled to do so in the future.
45. That as a result of the foregoing, the plaintiff seeks damages, in the sum of one million dollars (\$1,000,000.00) DOLLARS together with costs and interest.

**WHEREFORE**, plaintiff, demands judgment against the defendants on the First cause of action in the sum of ONE MILLION DOLLARS (\$1,000,000.00) together with costs and interest according to law, and in the second cause of action in the of ONE MILLION DOLLARS (\$1,000,000.00) together with costs and interest according to law and in the third cause of action in the sum of ONE MILLION DOLLARS (\$1,000,000.00) together with costs and interest according



to law and in the fourth cause of action in the of ONE MILLION DOLLARS (\$1,000,000.00) together with costs and interest according to law, all together with costs and interest according to law.

Yours, etc.

HARMON & LINDER  
Attorneys for Plaintiff  
3 Park Avenue – Suite 2300  
New York, New York 10016  
(212) 732-3665

ATTORNEY'S VERIFICATION

STATE OF NEW YORK    )  
                                  ) ss:  
COUNTY OF NEW YORK)

I, the undersigned, am an attorney admitted to practice in the Courts of New York State,  
and say that:

I am the attorney of record or of counsel with the attorney(s) of record for plaintiff.

I have read the annexed SUMMONS AND VERIFIED COMPLAINT and know the  
contents thereof and the same are true to my knowledge, except those matters therein which are  
stated to be alleged on information and belief. As to those matters, I believe them to be true.  
My belief, as to those matters therein not stated upon knowledge is based upon the following:  
Interviews and/or discussions with the plaintiff(s) and papers and/or documents in the file.

The reasons I make this affirmation instead of the plaintiff is because said plaintiff  
resides outside of the county from where your deponent maintains his office for the practice of  
law.

Dated:     New York, New York

July 29, 2015

  
Mark J. Linder Esq.,

Index No.                      Year  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

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DEBORAH WOODS,

Plaintiff,

-against-

THE CITY OF NEW YORK, PORT AUTHORITY OF  
NEW YORK AND NEW JERSEY AND POLICE/PEACE/  
SECURITY OFFICER "JOHN DOE",  
Defendant.

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SUMMONS AND VERIFIED COMPLAINT  
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HARMON, LINDER & ROGOSWKY, ESQS.

Attorney for Plaintiff(s)  
3 Park Avenue, 23rd Floor  
Suite 2300  
New York, NY 10016  
(212) 732-3665 Phone  
(212) 732-1462 Facsimile

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To:  
Attorney(s) for Defendant  
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Service of a copy of the within Summons and Complaint is hereby admitted.

Dated:

Attorney(s) for  
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PLEASE TAKE NOTICE

☐ Notice of Entry    that the within is a (certified) true copy of a  
entered in the office of the clerk of the within named Court on

☐ Notice of Settlement  
that an order of which the within is a true copy will be presented for settlement to the  
Hon. \_\_\_\_\_, one of the judges of the within named Court, at \_\_\_\_\_,  
on \_\_\_\_\_.

Dated: July 29, 2015

Yours, etc.  
Harmon, Linder & Rogowsky  
*Attorneys for Plaintiff*  
3 Park Avenue, 23rd Floor  
Suite 2300  
New York, NY 10016  
(212) 732-3665